TITLE

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY LEGAL INSTRUMENTS TO EFFECT THE EXCHANGE OF CERTAIN IMMOVABLE PROPERTY OWNED BY THE CITY OF SHREVEPORT FOR CERTAIN IMMOVABLE PROPERTY OWNED BY LOUISIANA CVS PHARMACY, L.L.C.

DATE

ORIGINATING DEPT./DIV.

DEPARTMENT OF ENGINEERING & ENVIRONMENTAL SERVICES

SPONSOR OR COUNCIL MEMBER

CITY ENGINEER'S OFFICE

4/7/14

PURPOSE

To facilitate an exchange of properties between Louisiana CVS Pharmacy, L.L.C. and the City of Shreveport to provide a mutually beneficial resolution of encroachments on one another's properties

This Ordinance or Resolution will have direct impact on Council District: D

BACKGROUND INFORMATION

During construction of the Ellerbe Rd. & Flournoy-Lucas Rd. Intersection project, a public access road from the existing Flournoy-Lucas Rd. right-of-way was built to connect to the newly acquired right-of-way for said road. The constructed access road encroached on property owned by CVS. CVS established a driveway connection from its property connecting to Ellerbe Rd that encroaches into a portion of the original Flournoy-Lucas right of way. A method to remedy both encroachment conditions was negotiated and agreed upon between the parties and City Council approval is hereby requested for said action. (See attached plat)

TIMETABLE

Introduction:

April 8, 2014

Final Passage:

April 22, 2014

MASTER PLAN CONSIDERATION

None

FINANCES

SOURCE OF FUNDS

None

N/A

CONCLUSION

The Department Of Engineering & Environmental Services recommends that this legislation be approved as presented.

FACT SHEET PREPARED BY:

Wayne Goss, SR/WA

Senior Property Management Specialist

ORDINANCE NO. OF 2014

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY LEGAL INSTRUMENTS TO EFFECT THE EXCHANGE OF CERTAIN IMMOVABLE PROPERTY OWNED BY THE CITY OF SHREVEPORT FOR CERTAIN IMMOVABLE PROPERTY OWNED BY LOUISIANA CVS PHARMACY, L.L.C.

BY: MAYOR GLOVER

WHEREAS, THE City of Shreveport is the owner of the following described property, hereinafter referred to as "Parcel "B" on attached plat, being more particularly described as:

A CERTAIN TRACT OF LAND LOCATED IN SECTION 8 TOWNSHIP 16 NORTH, RANGE 13 WEST, CADDO PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the northeast corner of the southeast quarter of the northeast quarter of section 7;

Thence north 89 degrees 56 minutes 00 seconds west along the north line of the southeast quarter of the northeast quarter of section 7, a distance of 254.21 feet to a point in the east side of the forty foot road, lying next to the right-of-way of the Kansas City Southern Railroad, at which point is 90 feet from the center line of the said Kansas City Southern Railroad, measured at right angles;

Thence south 26 degrees 15 minutes 00 seconds east with said east line of forty foot road, parallel to and 90 feet from the center line of said Kansas City Southern Railroad's main line, a distance of 1071.04 feet (measured), 1051.54 feet (deed) to a point where the east line of said 40 feet road intersects the north line of the Flournoy Lucas Road, which point is 30 feet from the center line of said Flournoy Lucas Road measured at right angles;

Thence with the traverse of the north line of said Flournoy Lucas Road, north 63 degrees 40 minutes 00 seconds east a distance of 850.12 feet to a point;

Thence south 89 degrees 00 minutes 00 seconds east a distance of 307.29 feet to a point; Thence north 66 degrees 41 minutes 00 seconds east a distance of 141.38 feet to a PK nail found being the southwest corner of Lot 1 of the YMCA subdivision (CVS property);

Thence south 30 degrees 27 minutes 49 seconds east a distance of 72.72 feet to a point on the apparent southern right of way line of old Flournoy-Lucas Road;

Thence along said apparent right of way line north 71 degrees 35 minutes 47 seconds east a distance of 28.41 feet;

Thence continuing along said apparent line north 62 degrees 58 minutes 43 seconds east a distance of 48.88 feet to a point;

Thence continuing along said apparent line north 66 degrees 51 minutes 12 seconds east a distance of 175.76 feet to a point;

Thence continuing along said apparent line north 60 degrees 06 minutes 33 seconds east a distance of 134.34 feet to a point;

Thence continuing along said apparent line north 53 degrees 16 minutes 46 seconds east a distance of 110.83 feet to a point;

Thence continuing along said apparent line south 69 degrees 35 minutes 05 seconds east a distance of 20.96 feet to a point on the western right of way line of Ellerbe Road;

Thence north 25 degrees 08 minutes 50 seconds west along said western line a distance of 66.84 feet to a

point, also known as the point of beginning;

Thence leaving said right of way south 62 degrees 06 minutes 00 seconds west a distance of 75.81 feet to a point on the southern line of Lot 1 of the YMCA subdivision (CVS property); thence along the southern line of Lot 1 north 31 degrees 02 minutes 12 seconds east a distance of 7.74 feet to a point;

Thence continuing along the southern line of Lot 1 north 09 degrees 12 minutes 00 seconds east a distance of 130.41 feet to a point on the westerly right of way line of Ellerbe Rd.;

Thence along said right of way along a curve to the right having a radius of 1297.93 feet and an arc length of 108.57 feet; chord of said curve bearing south 27 degrees 51 minutes and 55 seconds east a distance of 108.54 feet, also known as the point of beginning containing 0.091 acres (3,985 Sq.Ft.) and shown on survey by Linfield, Hunter & Junius, Inc. dated June 14, 2013, and

WHEREAS, Louisiana CVS Pharmacy, L.L.C. ("CVS") is the owner of the following described property,

hereinafter referred to as "Parcel "A" on attached plat, being more particularly described as:

A CERTAIN TRACT OF LAND LOCATED IN SECTION 8 TOWNSHIP 16 NORTH, RANGE 13 WEST, CADDO PARISH, LOUISIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the northeast corner of the southeast quarter of the northeast quarter of section 7, Thence north 89 degrees 56 minutes 00 seconds west along the north line of the southeast quarter of the northeast quarter of section 7, a distance of 254.21 feet to a point in the east side of the forty foot road, lying next to the right-of-way of the Kansas City Southern Railroad, at which point is 90 feet from the center line of the said Kansas City Southern Railroad, measured at right angles;

Thence south 26 degrees 15 minutes 00 seconds east with said east line of forty foot road, parallel to and 90 feet from the center line of said Kansas City Southern Railroad's main line, a distance of 1,071.04 feet (measured), 1051.54 feet (deed) to a point where the east line of said 40 feet road intersects the north line of the Flournoy Lucas Road, which point is 30 feet from the center line of said Flournoy Lucas Road measured at right angles;

Thence with the traverse of the north line of Said Flournoy Lucas Road, north 63 degrees 40 minutes 00 seconds east a distance of 850.12 feet to a point;

Thence south 89 degrees 00 minutes 00 seconds east a distance of 307.29 feet to a point; thence north 66 degrees 41 minutes 00 seconds east a distance of 141.38 feet to a PK nail found being the southwest corner of Lot 1 of the YMCA subdivision (CVS property) also known as the point of beginning;

Thence north 30 degrees 27 minutes 49 seconds west a distance of 30.89 feet to a point;

Thence continuing along the western line of Lot 1 north 22 degrees 44 minutes 17 seconds west a distance of 45.49' to a point on the southerly right of way line of Flournoy Lucas Road; thence along said right of way along a curve to the left having a radius of 868.51 feet and an arc length of 19.97 feet; chord of said curve bearing north 52 degrees 48 minutes 19 seconds east a distance of 19.96 feet to a point;

Thence leaving said right of way south 22 degrees 58 minutes 59 seconds east a distance of 80.93 feet to a point located on the southern line of Lot 1;

Thence south 66 degrees 41 minutes 00 seconds west a distance of 15.52 feet to a point, also known as the point of beginning containing 0.034 acres (1,469 sq. Ft.) And shown on survey by Linfield, Hunter & Junius, Inc. dated June 14, 2013, and,

WHEREAS, Parcel "B" is no longer needed for public purposes, and

WHEREAS, Parcel "A" is now needed for public purposes for use as a public right of way, and

WHEREAS, the City of Shreveport and CVS have agreed to exchange the two parcels described herein, and

WHEREAS, the two parcels to be exchanged are of equal value.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, regular and legal session convened, that Cedric Glover, Mayor, be and is hereby authorized to execute all necessary legal documents to effect the exchange of Parcel "B", more particularly described herein, for Parcel "A", more particularly described herein, with Louisiana CVS Pharmacy, L.L.C., in Caddo Parish, Louisiana.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

CITY ATTORNEY'S OFFICE